Public Notice

US Army Corps of Engineers
Sacramento District
1325 J Street
Sacramento, CA 95814-2922

Public Notice Number: SPK-200450362
Date: June 23, 2008
Comments Due: July 17, 2008
In reply, please refer to the Public Notice Number

SUBJECT: The U.S. Army Corps of Engineers, Sacramento District, (Corps) is evaluating a permit application to construct Phase I of the Interstate 15 Widening and Reconstruction Project, Spanish Fork U.S. Route 6 to American Fork Main Street, which would result in impacts to approximately 39.64 acres of waters of the United States, including 39.31 acres of wetlands. This notice is to inform interested parties of the proposed activity and to solicit comments. This notice may also be viewed at the Corps web site at http://www.spk.usace.army.mil/regulatory.html.

AUTHORITY: This application is being evaluated by the Corps under Section 404 of the Clean Water Act for the discharge of fill material in waters of the United States and by the State of Utah under Section 401 for water quality certification.

APPLICANT: Utah Department of Transportation, Region 3
ATTN: Merrell Jolley
658 North 1500 West
Orem, Utah 84057
(email: *merrelljolley@utah.gov*)

LOCATION: The southern terminus of the 20-mile-long Utah County Interstate 15 (I-15) project corridor is the interchange of U.S. Route 6 (US-6) and I-15, Exit 258, in Section 18, Township 8 South, Range 3 East, Spanish Fork, Utah, and can be see on the Provo USGS Topographic Quadrangle. The northern terminus of the corridor is located at the intersection of Main Street and I-15, Exit 278, in Sections 15 and 22,, Township 5 South, Range 1 East, American Fork, Utah, and can be seen on the Lehi USGS Topographic Quadrangle.

PROJECT DESCRIPTION: The Utah Department of Transportation (UDOT) is proposing to construct a 20-mile long widening and reconstruction project along I-15 in Utah County to include construction of additions or changes to the I-15 mainline, auxiliary lanes, interchanges, bridges, and other design features such as drainage elements and pedestrian/bicycle facilities. Based on the available information, the overall project purpose is to construct a roadway improvement project to improve safety, alleviate traffic congestion and provide a regional traffic solution to accommodate projected traffic volumes through 2030. The applicant believes there is a need to improve I-15 roadway safety in Utah County, to improve regional and intra-county movement of people and goods, to provide consistency to regional transportation plans and to provide additional capacity to address anticipated north-south mobility needs through the year 2030. Figures 1-12 for the I-15 Phase I project are included with this Public Notice. In addition, 43 design sheet drawings (11x17-inches) will be available for public viewing at the Utah Regulatory Office, 533 West 2600 South, Suite 150, Bountiful, Utah. Please call 801-295-8380, x10, to schedule an appointment. Beginning June 27, the design drawings will be available in downloadable groups (with the Final EIS) on UDOT's website at: http://www.udot.utah.gov/i15utahcounty/. The website will also include the names and addresses of several locations where printed copies of the Final EIS will be available for the public to review.

The proposed action is part of a larger transportation study corridor (Environmental Impact Statement) traversing approximately 43 miles along I-15 within Utah and Salt Lake counties. See Figure 1, Corridor Study Area Map. The full study corridor southern terminus is the South Payson I-15 interchange, Exit 248, in the city of Payson. The northern terminus is the 12300 south I-15 interchange, Exit 291, in the city of

Draper in Salt Lake County. The Preferred Alternative carried forward in the Final EIS is Alternative 4. To facilitate evaluation and presentation of the Preferred Alternative in the Final EIS, the I-15 study corridor was divided into four geographical sections:

South Utah County Section (South Payson interchange to University Avenue interchange)
Central Utah county Section (University Avenue interchange to Pleasant Grove interchange)
North Utah county Section (Pleasant Grove interchange to County line)
South Salt Lake County Section (Utah/Salt Lake County line to 12300 South interchange)

The Phase I proposed action does not include all Alternative 4 improvements as funding is not yet available for improvements south of the Phase I southern terminus at U.S. 6 in Spanish Fork or north of the northern terminus for Phase I at Main Street interchange in American Fork. Phase I does not include the South Salt Lake County Section or the southernmost portion of the South Utah County Section.

Figure 2 depicts an overview of the I-15 Phase I Reconstruction Project which is detailed by geographical section in narrative below. Figure 4 depicts an overview of the existing I-15 roadway configuration and Figure 5 depicts an overview of the proposed Phase I lane configuration. Figures 6 and 7 depict typical cross section illustrations for the various land configurations under the proposed Phase I action.

South Utah County Section improvements included under the proposed Phase I action (see Figure 8):

•One lane in each direction would be added between the US 6 interchange and the University Avenue interchange, resulting in an increase from 3 to 4 general purpose lanes in each direction.

•South Springville 400 South: Interchange improvements would be constructed as part of the SR-77 Design-Build project. The existing diamond interchange would be reconfigured to a single point urban interchange (SPUI).

•North Springville 1400 North: Existing diamond interchange diamond ramp gores would be modified to accommodate a widened I-15 cross-section.

•Spanish Fork 300 West: Existing bridge over I-15 would be widened to accommodate additional construction of additional lanes.

•Union Pacific Railroad (UPPR) bridges north of US 6 in Spanish Fork would be reconstructed and widened at two locations to accommodate the construction of additional lanes.

Central Utah County Section improvements under the proposed Phase I action (see Figures 9 and 10). (*Note* Figure 10 depicts Options A, B, C & D, but Alternative 4, as refined through Final EIS, identifies Option D in the Provo/Orem area as the joint lead agencies' Preferred Alternative.):

•One general purpose lane and one express lane in each direction would be added between the University Avenue interchange and the University Parkway interchange, resulting in an increase from 3 to 4 general purpose lanes and 1 express lane in each direction. The portion of the mainline between 820 North and 1140 North would be realigned through the existing "S" curves to meet current standards.

•Two general purposes lanes in each direction would be added between University Parkway interchange and the Pleasant Grove interchange, resulting from an increase from 3 to 5 general purpose lanes and 1 express lane in each direction.

•One auxiliary lane in each direction would be constructed between each interchange from the University Parkway interchange to the Orem 1600 North interchange.

•One southbound auxiliary lane would be constructed between the Provo Center Street interchange and the University Parkway interchange under the preferred Provo/Orem Option D.

•Provo/Orem Option D improvements (joint lead agencies' preferred alternative in Final EIS): Realignment of Provo 820 North. Slight shift in I-15 mainline through the Orem 800 South area. no new interchange at Orem 800 South, no frontage roads. Provo Center Street interchange reconstructed as a SPUI. Existing viaduct over the railroad tracks at Provo Center Street removed and replaced with a new structure. Flyover ramp constructed from southbound I-15 to eastbound University Parkway. A direct connection to Utah Valley State College (Utah Valley University) provided from the northbound I-15 exit at University Parkway.

•University Avenue: Existing partial cloverleaf interchange ramps would be modified to accommodate the widened I-15. Slope paving at the southbound University Avenue to southbound I-15 structure as well as the 1860 south structure over I-15 would be modified to accommodate a wider I-15.

•Orem Center Street: Existing diamond interchange would be reconstructed/reconfigured to a SPUI. Center Street would be widened to 5 lanes on both sides of I-15. 1200 West would be realigned to the east to create an intersection with Center Street that does not conflict with interchange ramps, improving the safety and capacity of the intersection.

•Orem 800 North: Existing diamond interchange would be reconstructed/reconfigured to a SPUI. Orem 800 North would be widened to three lanes in each direction through the interchange.

•Bridge Replacements/Construction (13 Structures not associated with interchanges):

◦Provo 500 West: Construct new I-15 bridge to accommodate future 500 West undercrossing.

◦Provo 920 West, Provo 600 South and Provo River: Widen existing I-15 bridge to accommodate additional lanes to be constructed under Phase I.

◦Provo 820 North: Realign slightly south. Existing (new) bridge is wide enough to accommodate additional I-15 lanes to be constructed under Phase I.

◦UPPR and UTA S-Curves: Widen existing bridges to accommodate additional I-15 lanes to be constructed under Phase I.

◦Provo 2000 North/Orem 2000 South, Orem 400 South and Orem 400 North: Widen existing I-15 bridge to accommodate additional lanes to be constructed under Phase I.

◦Orem 1200 North: Construct new I-15 bridge to accommodate future 1200 North undercrossing.

◦Geneva Road: Widen existing I-15 bridge to accommodate additional lanes to be constructed under Phase I.

◦Lindon 200 South: Bridge would be lengthened to accommodate additional I-15 lanes to be constructed under Phase I and would be widened to accommodate provisions for 200 South in the regional transportation plan.

North Utah County Section improvements under the proposed I-15 improvements Phase I action (see Figure 11):

•Two additional general purpose lanes would be constructed in each direction between the Pleasant Grove interchange and the Lehi Main Street interchange, resulting in 5 general purpose lanes and 1 express lane in each direction.

•One auxiliary lane would be constructed in each direction between the Pleasant Grove interchange and the American Fork 500 East interchange and between the American Fork Main Street interchange and the Lehi Main Street interchange.

•Pleasant Grove: Recently reconstructed diamond interchange would be modified to tie in to the widened I-15 and Pleasant Grove Boulevard would be widened to 2 lanes in each direction through the interchange.

•American Fork 500 East: Diamond interchange would be reconstructed, ramps would be widened and 500 East would be widened to 2 lanes in each direction through the interchange.

•American Fork Main Street Option C improvements: (Preferred alternative in Final EIS) Existing diamond interchange would be reconstructed to a SPUI. Main Street would be realigned and cross over I-15, run north of the adjacent railroad, cross over the railroad at Mill Pond Road, and connect to the proposed Northern Utah County East-West Connector Project (Lehi 1000 South) at 300 East in Lehi.

•Proctor Road: Bridge would be reconstructed over I-15. Bridge would be lengthened to accommodate additional lanes to be constructed under I-15 Phase I project and to accommodate provisions for Proctor Road in the regional transportation plan.

•American Fork 1100 South (Sam White Lane): Bridge would be reconstructed over I-15. Bridge would be lengthened to accommodate additional lanes to be constructed under I-15 Phase I and to accommodate provisions for 1100 South in the regional transportation plan.

•American Fork 100 East, American Fork River, and American Fork 200 South: Existing bridge would be reconstructed and widened to accommodate additional lanes to be constructed on I-15 in the Phase I project.

ADDITIONAL INFORMATION:

Environmental Setting. The EIS study area is located within the Wasatch Front region. The northern boundary of the EIS study area includes the southern portion of Salt Lake County, which is bordered on the east by the Wasatch Range. The Wasatch Mountains mark the eastern limit of the Great Basin Province, which is characterized by a cold high-desert climate. The corridor crosses the Utah County/Salt Lake County line at the Traverse Mountains, then drops in elevation in the Salt Lake City metropolitan area. Climate is influenced by the altitude of the study area, the Wasatch Range, and the Great Salt Lake. Temperature inversions occur frequently in the Wasatch Front region, particularly between November and February; inversions also occur during the summer.

The EIS transportation corridor traverses the Utah Lake/Jordan River Basin. Utah Lake is one of the largest natural freshwater lakes in the western United States and is a major source of water for Salt Lake County. Despite its 94,000-acre size, Utah Lake is quite shallow, ranging from 6 to 10 feet deep. The headwaters of the source streams are in the Wasatch and Uinta Mountains to the east. The lake hydrology is supported by four major streams, several minor perennial streams and many intermittent streams. All four of the major streams that drain into the lake (American Fork River, Hobble Creek, Provo River, and Spanish Fork River) cross the study area. The area surrounding the lake is underlain by low-pressure artesian aquifers. Numerous springs are also present in and near the lake. The Utah Lake watershed includes all the land that drains into Utah Lake and a portion of the Jordan River originating at the Utah Lake outlet. The Jordan River is Utah Lake's sole surface outlet. The Utah Lake/Jordan River Basin is a diverse watershed, containing a variety of soil types and a wide range of vegetation communities. Annual precipitation totals vary dramatically due to elevation variances between the valley and mountain areas, ranging from 12 inches in lower valleys to more than 50 inches in the highest mountains area. Average annual precipitation for the Provo area along I-15, which is in the proposed Phase I action area, is approximately 21 inches.

Wetland delineation studies of the broader I-15 EIS Study Corridor were conducted between August 2005 and August 2007. The study area for these delineations included the median and both sides of I-15, varying from 125 feet from the edge of the pavement to more than 600 feet from the edge of the pavement in some areas. At existing and proposed interchanges, the delineation study area was extended to include additional area to evaluate realignment of interchanges. The EIS wetland study area encompasses approximately 247 aces of wetlands. This acreage includes wetlands that were delineated but will not be directly impacted by the Phase I or later phases of the project. Approximately 203 acres of the verified 247 study area wetlands occur within the Phase I proposed action area.

Wetlands in the study area consist of a series of biological communities, characterized by the structure and composition of the vegetation and the water regime. Three types of wet meadow—spikerush-sedge meadow, grass-rush-sedge meadow, and annual herbaceous wetlands—occur in the study area. Bulrush-cattail dominated marshes occur near Provo Bay; smaller stands are also present in the study area. Hydrology for the marsh wetlands includes surface water adjacent to Utah Lake and Mill Pond, along streams and canals, and ground water in springs and depressional areas. Two types of lowland woody wetland communities occur in the study area. The scrub-shrub community, which occurs along steams or in association with wet meadows supported by springs, is dominated by small trees or shrubs such as coyote willow and tamarisk. Stands of forested wetlands occur primarily along streams and canals and the dominant canopy species is Russian olive.

Under the Phase I proposed action, direct impacts would occur to approximately 39.31 acres of wetlands and 0.33 acre of non-wetland waters of the United States. Phase I would impact portions of 33 delineated wetland areas, including UDOT wetland mitigation sites at the North Springville interchange, the Orem University Parkway interchange and at the Orem 1600 North interchange. UDOT based the wetland impacts determination on an environmental limit line, generally established as a 50-foot offset from the shoulder of the I-15 mainline, a 25-foot offset from the shoulder of ramps, and a 15-foot offset from the shoulder of cross streets. The offsets account for grade differences and resulting slopes. The environmental limit line incorporates areas required to accommodate temporary construction activities. The majority of the wetland

impacts will occur to lower functioning wetlands, i.e., those with moderate to low plant community ratings and/or those exhibiting a high level of disturbance.

The proposed 20-mile-long Phase I corridor is located along the existing I-15 corridor between the I-15 and SR 6 interchange in Spanish Fork and the I-15 and Main Street interchange in American Fork. Since the construction of I-15 in the mid-1960s, the communities and lands in Utah County have developed around this interstate corridor. According to the Mountainland Association of Government's long-range plan, Utah County's population grew by 66% in the 1990's. In contrast, since 1990, the capacity of the state road system in Utah County increased 1%. The majority of the projected population growth over the next 30 years will occur in the northern and western parts of Utah County. The growth of suburbs in Utah County over the past 30 years reflects a trend in land use resulting in a low density development pattern. Current land use plans suggest this pattern will continue. In the Phase I project corridor, commercial land uses are generally associated with all existing interchanges. Lands remain in agriculture production along the proposed action corridor; the proposed action generally does not bisect any farms, eliminate access to agriculture areas, or affect their ability to remain agricultural productive properties. The roadway design will maintain access to agricultural properties and UDOT will avoid impacts to irrigation systems by relocating or reconstructing any affected features to maintain continuity of the water delivery systems.

Alternatives. The applicant has provided information concerning project alternatives for the I-15 study corridor. Additional information concerning project alternatives may be available from the applicant or their agent. Other alternatives may develop during the review process for this permit application. All reasonable project alternatives, in particular those which may be less damaging to the aquatic environment, will be considered.

Based on public and agency input, 11 initial conceptual alternatives (10 build alternatives and the No Build) were assembled to provide and assess a range of approaches to potentially address the purpose and need for the Utah County to Salt Lake County I-15 Corridor study area. Two alternatives, including the No Build alternative, were advanced and considered in the Final EIS. Figure 12, Schematic of Alternatives Development and Screening, shows the alternatives considered and the process for elimination of alternatives. Detailed descriptions and reasons for elimination of other alternatives are described in Chapter 2 of the Final EIS. The joint lead agencies" preferred alternative carried forward in the Final EIS is Alternative 4, with Provo/Orem Option (Figure 10) and American Fork Main Street Option C (Figure 11). The proposed Phase I action does not encompass all of Alternative 4.

Mitigation. The Corps requires that applicants consider and use all reasonable and practical measures to avoid and minimize impacts to aquatic resources. If the applicant is unable to avoid or minimize all impacts, the Corps may require compensatory mitigation. As avoidance and minimization mitigation, the applicant identified and mapped all wetlands adjacent to the existing I-15 corridor and incorporated these aquatic resources into the engineering mapping to facilitate development of conceptual engineering to avoid and minimize impacts. UDOT used the typical cross sections to reduce the footprint of Alternative 4 by incorporating a retaining wall on the edge of the shoulder and, where side slopes are needed, by steepening side slopes from 1:6 to 1:2. This approach resulted in avoidance of 5 acres of potential impact to 19 wetlands adjacent to I-15. As compensatory mitigation for unavoidable adverse impacts to wetlands, UDOT is proposing to use a mitigation bank that is the planning stages. UDOT is working to develop the bank in cooperation with the Corps and the Mitigation Bank Review Team consisting of members from the U.S. Environmental Protection Agency, U.S. Fish and Wildlife Service, Federal Highways Administration, and the Utah Division of Wildlife Resources.

OTHER GOVERNMENTAL AUTHORIZATIONS: Under Section 401 of the Clean Water Act, water quality certification, or a waver, is required from the Utah Division of Water Quality for this project. The Utah Division of Water Quality intends to issue certification provided that the proposed work will not violate applicable water quality standards. Projects are usually certified where the project may create diffuse sources (non-point sources) of wastes which will occur only during the actual construction activity and where best management practices would be employed to minimize pollution effects. Written commends on water

quality certification should be submitted to Ms. Shelly Andrews, Utah Division of Water Quality, 288 North 1460 West, P.O. Box 144870, Salt Lake City, Utah 84114-4870, on or before **July 17, 2008**.

HISTORIC PROPERTIES: Cultural resources within the project's area of potential effect were identified through review of existing cultural resource studies and site records and a Class III cultural resources inventory conducted during early fall 2004 and during spring and summer 2007. Federal Highway Administration, as lead federal agency, in consultation with Utah State Historic Preservation Office (SHPO), is responsible for the determination of eligibility for listing in the National Historic Preservation Action and for the finding of effect. The original Determination of Eligibility and Finding of Effect was signed by the Utah SHPO in October 2007. Addendums to this document were signed by the Utah SHPO in November 2007 and June 2008. Under the Phase I proposed action, three historic properties would be adversely effected by the Phase I action: (1) the Provo Viaduct on Center Street in west Provo and historic structures located at (2) 150 West 300 South and (3) 360 West 200 South.

ENDANGERED SPECIES: The Final EIS for the broader I-15 study area includes detailed information on endangered and threatened species. One endangered species (June sucker), one threatened species (Ute ladies'-tresses), one candidate species (yellow-billed cuckoo), and one recently de-listed species (bald eagle) occur or may occur in the project study area.

The June sucker is endemic to Utah Lake and its tributaries. The June sucker was listed as a federally endangered species in March 1986. Critical habitat was designated at the same time, consisting of the lower 4.9 miles of the Provo River from the Tanner Race Diversion downstream to Utah Lake. Spawning only occurs in the Provo River at present, but has occurred in the Spanish Fork River and possibly in Hobble Creek. The proposed project crosses the Provo River with designated June sucker critical habitat. The proposed action would not modify the Provo River channel; therefore, no direct impacts are anticipated to occur to individuals of this species or to their habitat during construction or subsequent operation of the project. Modification to the Provo River channel bank will be required above the ordinary high water mark, including removal of riparian vegetation; however, no direct impacts to June sucker habitat are anticipated. Section 7 consultation with the US Fish and Wildlife Service is ongoing and a biological assessment is being prepared relative to the potential impacts of the proposed action on the June Sucker.

Ute ladies'-tresses orchids have been reported from 14 locations in Utah County, including near the project vicinity in American Fork, Springville and Spanish Fork. These populations were reported to occur in wet meadows, usually in floodplains between 4,490 and 5,460 feet in elevation. Two project-level pedestrian presence/absence surveys of wet meadow habitat along the I-15 corridor detected no Ute ladies'-tresses within the project area. Therefore, Ute ladies'-tresses are presumed to be absent from the Phase I project area and the proposed action would have no direct effects on individuals of the species.

The bald eagle was removed from the list of threatened and endangered species in July 2007 but the U.S. Fish and Wildlife Service is required to monitor the bald eagle population status for a minimum of 5 years after de-listing. Bald eagles are common winter visitors but rare summer breeders in the regional study area. The shores of Utah Lake, its delta bays, and the Jordan River provide good foraging habitat for bald eagles within the project study area. No direct effects are anticipated to occur to individuals of this species as a result of project implementation.

Only the western yellow-billed cuckoo occurs in Utah; the species is classified as a federal candidate species. Yellow-billed cuckoos historically bred along the riparian corridors of the Great Salt Lake Basin. The Jordan River and delta once provided large areas of habitat suitable for cuckoos. However, habitat loss and fragmentation from dewatering, stream channelization activities, encroachment by non-native tamarisk, grazing, and oil/gas development have removed most of this species' historical habitation. Nesting and foraging habitat for the cuckoo does occur within the regional study area. No direct impacts are anticipated to occur to individuals of this species as a result of project implementation.

ESSENTIAL FISH HABITAT: The project will not adversely affect Essential Fish Habitat (EFH) as defined in the Magnuson-Stevens Fishery Conservation and Management Act.

EVALUATION FACTORS: The decision whether to issue a permit will be based on an evaluation of the probable impacts, including cumulative impacts, of the described activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit, which reasonably may be expected to accrue from the described activity, must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the described activity will be considered, including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, consideration of property ownership and, in general, the needs and welfare of the people. The activity's impact on the public interest will include application of the Section 404(b)(1) guidelines promulgated by the Administrator, Environmental Protection Agency (40 CFR Part 230).

The Corps is soliciting comments from the public, Federal, State, and local agencies and officials, Indian tribes, and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps to determine whether to issue, modify, condition, or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

SUBMITTING COMMENTS: Written comments, referencing Public Notice SPK-2004-50362 must be submitted to the office listed below on or before **July 17, 2008.**

Jason A. Gipson
Chief, Nevada-Utah Regulatory Branch
533 West 2600 South, Suite 150
Bountiful UT 84010
Email: jason.a.gipson@usace.army.mil

The Corps is particularly interested in receiving comments related to the proposal's probable impacts on the affected aquatic environment and the secondary and cumulative effects. Anyone may request, in writing, that a public hearing be held to consider this application. Requests shall specifically state, with particularity, the reason(s) for holding a public hearing. If the Corps determines that the information received in response to this notice is inadequate for thorough evaluation, a public hearing may be warranted. If a public hearing is warranted, interested parties will be notified of the time, date, and location. Please note that all comment letters received are subject to release to the public through the Freedom of Information Act. If you have questions or need additional information please contact the applicant’s agent, Jaime White, PB, 801-288-3225, email whiteja@pbworld.com, or the Corps' project manager Jason Gipson, 801-295-8380, ext 14, jason.a.gipson@usace.army.mil.

Attachments: 12 figures